

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
008b. memo	Berger & Hilley, John to POTUS, re: Proposed PDD to Enhance Counterintelligence (CI) at the Department of Energy (DOE) (2 pages)	n.d.	P1/b(1)
008c. memo	Presidential Decision Directive/NSC- [Draft] (5 pages)	n.d.	P1/b(1)
009. memo	Berger to POTUS, re: Proposed PDD to Enhance Counterintelligence (CI) at the Department of Energy (DOE) (2 pages)	n.d.	P1/b(1)
010. memo	Gregory to Berger, re: Department of Energy Counterintelligence (CI) Issues - PDD (2 pages)	02/05/1998	P1/b(1)
011. memo	Gregory to Berger, re: Department of Energy Counterintelligence (CI) Issues (2 pages)	09/22/1997	P1/b(1)
012. memo	Gregory to Berger, re: Department of Energy Counterintelligence (CI) Issues Draft PDD (2 pages)	12/29/1997	P1/b(1)
013. memo	Berger to POTUS, re: Department of Energy Counterintelligence (CI) Issues Draft PDD (2 pages)	01/21/1998	P1/b(1)
014a. memo	Berger, Samuel to the President re: Letter from Warren Rudman Concerning Developments at DOE [page 1 only] (1 page)	07/06/2000	P5 Dup to 14b
014b. memo	Berger, Samuel to the President re: Letter from Warren Rudman Concerning Developments at DOE [duplicate of 014a with page 2] (2 pages)	07/06/2000	P5 4215
014c. letter	Rudman, Warren B. to the President re: [PFIAB Report on Security and Counterintelligence Problems at the Department of Energy] (2 pages)	06/30/2000	P5 4216

### COLLECTION:

Clinton Presidential Records  
National Security Council  
Nonpro [Nonproliferation]/Export Controls - Gary Samore  
OA/Box Number: 3859

### FOLDER TITLE:

DOE/CI [Department of Energy Counterintelligence] (PDD-61) [Presidential Decision Directive-61] [1]

Eric Holzer  
2006-1022-F  
eh315

### RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

P1 National Security Classified Information [(a)(1) of the PRA]  
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]  
P3 Release would violate a Federal statute [(a)(3) of the PRA]  
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]  
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]  
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]  
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

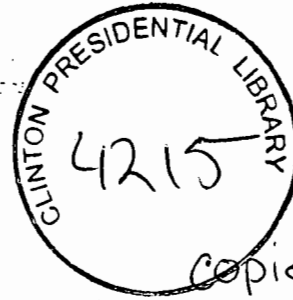
CLINTON LIBRARY PHOTOCOPY

COPY

THE PRESIDENT  
7-9-00

THE WHITE HOUSE  
WASHINGTON

July 6, 2000



4399

*copied*

*Berger  
Podesta*

INFORMATION

MEMORANDUM FOR THE PRESIDENT

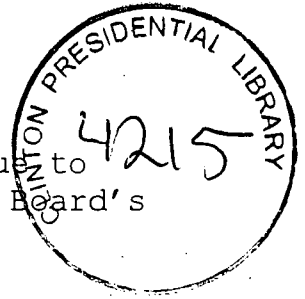
FROM: SAMUEL BERGER

SUBJECT: Letter from Warren Rudman Concerning Developments  
at DOE

Attached at Tab A is a letter to you from Warren Rudman regarding the PFIAB's ongoing efforts to monitor security management at the Department of Energy.

Warren reminds you that the PFIAB's report last year on security and counterintelligence problems at DOE made two essential points. First, a culture of disregard for security at DOE and the national weapons laboratories was a root cause of the lapses that had occurred over time. Secondly, the PFIAB concluded that the only way to ensure the necessary cultural change was to fundamentally reorganize DOE, giving the weapons labs autonomy while providing cleaner lines of authority and accountability between the Secretary and the labs. The PFIAB's report argued that this restructuring would facilitate reform and make it easier for the Secretary to enforce his directives.

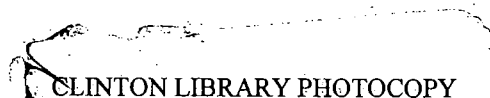
The National Nuclear Security Administration Act (NNSA) coincides closely with the PFIAB's recommended solution. For a time, Bill Richardson worried that the NNSA would interfere with his authority as Secretary. His initial decision was to retain his senior counterintelligence and security directors as department-wide officials, reporting directly to him, while also assigning them to the Administrator of the NNSA. Warren was highly critical of this decision, as were several Members of Congress who believed it to be contrary to the spirit of the NNSA. In response, Bill has now agreed to revoke this decision. Warren notes that this is an encouraging development.



The letter closes by noting that the PFIAB will continue to monitor the progress at DOE and to provide you with the Board's customarily honest assessments.

Attachment

Tab A Letter from Warren Rudman



COPY

THE WHITE HOUSE  
WASHINGTON

President's  
Foreign Intelligence  
Advisory Board

June 30, 2000



Dear Mr. President:

In light of recent events concerning the mishandling of nuclear secrets at Los Alamos National Lab, I am writing to you as Chairman of the PFIAB and of the special PFIAB panel that produced our report last year on security and counterintelligence problems at the Department of Energy.

As you will recall, our report made essentially two points. First, we found that, historically, security lapses were caused mostly by a pervasive, persistent culture of disregard for security at DoE Headquarters and at the national weapons labs. Funding levels, program designs and statutory authorities played far less a role in those failures. Thus, it is encouraging that Secretary Richardson has now publicly affirmed his intent to focus on addressing and reforming this serious cultural problem.

Our report also concluded that the only way to ensure real and lasting cultural change was through a fundamental reorganization of DoE, whereby the weapons labs would have meaningful autonomy from DoE-proper. Explicit among our recommendations was the need for far cleaner lines of authority and accountability between the Secretary and the weapons labs, which would make his policies and directives on security easier to apply and enforce. This bureaucratic restructuring and streamlining, our report argued, would enable senior lab officials to focus more closely on immediate security management problems and the longer-term process of cultural transformation.

On the issue of autonomy and the degree to which it is required, Secretary Richardson disagreed with the PFIAB panel and the legislation that followed our report -- the National Nuclear Security Administration (NNSA) Act. Secretary Richardson argued that the PFIAB's solutions would diffuse his authorities. However, the Act, while insulating the weapons labs from rest of the bureaucratic morass at DoE, seems to me to be specific and unequivocal about who is in charge. It stipulates that, "The Secretary shall be responsible for establishing policy" for the NNSA; and that the Administrator, "shall be subject to the authority, direction and control of the Secretary."

Notwithstanding the clarity of the new law, Secretary Richardson apparently felt the need to consolidate more control by DoE Headquarters' staff and managers over the labs by making a number of DoE officials "concurrent" managers of the NNSA. These appointments, in essence, made NNSA officials directly responsible to the Secretary,



COPY



rather than to the Administrator. If allowed to continue, this burgeoning "dual-hatting" scheme would only perpetuate the confusing lines of authority over the labs, dilute the power of the NNSA Administrator, and impede, if not defeat, the fundamental intent of the PFIAB panel's recommendations.

General John Gordon has been nominated and finally confirmed as the first Administrator of the NNSA. This was a great, bold step forward. He must be provided every opportunity to succeed in making his semi-autonomous agency extremely effective in stewarding our nation's nuclear arsenals and secrets. Thus, it is encouraging that Secretary Richardson has now publicly affirmed his intent to *revoke all "dual-hatting"* at the NNSA and to allow General Gordon the latitude and autonomy needed to properly oversee the management of the weapons labs -- on behalf of the Secretary. Hopefully, Secretary Richardson will now move expeditiously on his pledge.

The primary and historical role of the PFIAB is to serve as an advisory panel to the President -- nothing more, nothing less. We always have seen as our mission the obligation to provide you with honest, blunt and non-partisan opinions about the national security issues facing the nation. I have written this letter in that spirit. The PFIAB will continue to monitor the progress of the Energy Department in this extremely critical area.

Respectfully,

Warren B. Rudman  
Chairman

The President  
The White House  
Washington, DC 20502

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. memo	Berger, Samuel to the President re: PFIAB Review of DOE Lab Security (2 pages)	03/18/1999	P5 4217
001b. talking points	Points to be Made for Telephone Conversation with Senator Rudman (1 page)	n.d.	P5 4218
002. memo	For Rudman, Warren G. re: Department of Energy Labs [draft] (2 pages)	n.d.	P5
003a. memo	Berger, Samuel to the President re: PFIAB Review of DOE Lab Security [draft] (2 pages)	n.d.	P5 Duplicate
003b. talking points	Points to be Made for Telephone Conversation with Senator Rudman [draft] (1 page)	n.d.	P5 Duplicate

### COLLECTION:

Clinton Presidential Records  
NSC Records Management  
([Department of Energy and Security...])  
OA/Box Number: 2717

### FOLDER TITLE:

9901924

Eric Holzer  
2006-1022-F  
eh689

### RESTRICTION CODES

#### Presidential Records Act - [44 U.S.C. 2204(a)]

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## THE WHITE HOUSE

WASHINGTON

March 18, 1999

'99 MAR 18 08:17

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL BERGER *SB*

SUBJECT: PFIAB Review of DOE Lab Security



GRB —  
PLS  
SIGN  
FOR THE  
RECORD

Purpose

To task Warren Rudman to undertake a PFIAB review of security at the DOE labs.

Background

Protecting the security of the national weapons labs is one of the most important responsibilities of our Administration. As you know, in light of information concerning the possible compromise of information in the 1980s and continuing concerns about the adequacy of lab security to the ongoing threat, last year you issued PDD-61 designed to strengthen security at our labs. However, given recent questions regarding security at the Labs and the importance of reassuring the Congress and the public that we are doing all that we should be doing, I believe it would be invaluable for the PFIAB to review the evolution of the threat and the adequacy of measures that have been taken to address it.

However, before tasking the PFIAB I recommend that you first call Warren to make sure he is in a position to conduct the review.

PHOTOCOPY  
WJC HANDWRITING



cc: Vice President  
Chief of Staff

COPY

RECOMMENDATIONS

That you telephone Warren Rudman and request that the PEIAB undertake a review of the DOE labs.

Approve ☒ \_\_\_\_\_

Disapprove ☐ \_\_\_\_\_

That we subsequently confer with Warren on the attached draft Terms of Reference.

Approve ☒ \_\_\_\_\_

Disapprove ☐ \_\_\_\_\_

## Attachments

Tab A Talking Points for Telephone Conversation  
Tab B Draft Terms of Reference





POINTS TO BE MADE FOR  
TELEPHONE CONVERSATION WITH  
SENATOR RUDMAN

- Calling to ask if the PFIAB would be willing to undertake a review of our security at the DOE labs.
- As you know, concerns have been raised about the security at the labs, stemming from counterintelligence concerns dating back to the 1980s.
- Sandy has suggested that you are just the right person to step into this breach. I need someone who I trust, the Congress trusts, and the public trusts to get the hard facts.
- I signed a far ranging Directive on counterintelligence in 1998. Bill Richardson has taken a number of steps to implement it. But I want to be sure we've correctly assessed the threat and I want to know whether there is anything more that we should be doing.
- Sandy has suggested terms of reference. We've suggested a timetable of 60 days. From my perspective I want this done as soon as possible, but I want it done right.
- I know I can count on you. I have done so before so many times.

*Handwritten notes:*  
Lew Hilly  
Sue M...?  
1 or 2 others  
Phon... who knew what when  
lots of unanswered Qs  
Baffling Q → why it wasn't  
Why weren't earlier  
What put into effect  
at DOE?  
Tony Hamilton...  
not be...  
all...  
why it wasn't  
unanswered Qs  
why it wasn't  
unanswered Qs  
why it wasn't  
unanswered Qs

